



#7

PATENT

Our Docket: P-IU 3446

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of: )  
WELCH AND BARBER )

Serial No.: 09/438,917 )

Filed: November 12, 1999 )

For: TUMOR SUPPRESSOR )  
MOLECULES AND METHODS OF )  
USE )Attention Box Missing Parts  
Asst. Commissioner for Patents  
Washington, D.C. 20231

Group Art Unit: 1644

Examiner: Not Yet Assigned

I hereby certify that this correspondence  
is being deposited with the United States  
Postal Service as first class mail in an  
envelope addressed to: Assistant  
Commissioner for Patents, Attention Box  
Missing Parts, Washington, D.C., 20231,  
on January 13, 2000.By Melanie K. Webster  
Melanie K. Webster, Reg. No. 45,201January 13, 2000  
Date of Signature**CORRECTION OF FILING RECEIPT**

The filing receipt issued in the above-identified  
application is incorrect for the reasons set forth below:

The filing receipt issued in the above-identified  
application shows the total number of claims filed as ten (10).  
This is incorrect. As shown on the attached copy of the Utility  
Patent Application Transmittal (Exhibit A), which was filed with  
the application on November 12, 1999, the total number of claims  
filed is fourteen (14). Also attached is a copy of the  
self-addressed, stamped, return postcard (Exhibit B) showing that  
the total number of claims received by the U.S. Patent and  
Trademark Office on November 12, 1999, was fourteen (14).


Attached is a copy of the Filing Receipt (Exhibit C)  
with the change noted thereon. Applicants accordingly request  
that this correction be made of record and that an amended Filing  
Receipt be issued.

Inventors: Welch and Barber  
Serial No.: 09/438,917  
Filed: November 12, 1999  
Page 2

No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge any fees to Deposit Account No. 03-0370. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: January 13, 2000

  
Melanie K. Webster  
Registration No. 45,201  
Telephone No.: (858) 535-9001  
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CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
Suite 700  
San Diego, California 92122

**UTILITY PATENT APPLICATION TRANSMITTAL**  
(only for new and continuation-in-part  
nonprovisional applications under 37 CFR  
1.53(b))

Docket No.:

P-IU 3446



Address to: ASSISTANT COMMISSIONER FOR  
PATENTS  
Box Patent Application  
Washington, D.C. 20231

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

"EXPRESS MAIL" MAILING LABEL NUMBER: EL4545456208

DATE OF DEPOSIT: November 12, 1999

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE  
UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS  
ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS,  
ATTENTION BOX PATENT APPLICATION, WASHINGTON, D.C.  
20231.

J. H. Welch, Jr.  
Printed Name of Person Mailing Paper or Fee

[Signature]  
Signature of Person Mailing Paper or Fee

This is a request for filing a  
X new utility patent application under 37 CFR 1.53(b)(1).  
\_\_\_\_ continuation-in-part under CFR 1.53(b)(2) of prior  
application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
(list entire parentage).

Title: **TUMOR SUPPRESSOR MOLECULES AND METHODS OF USE**

Inventor(s) (full name of each inventor): **Peter J. Welch and Jack R. Barber**

Enclosed are:

X Return receipt postcard  
X Patent Application Bibliographic Data Output in PrintEFS  
X 1 Page application cover sheet  
X 65 Pages of specification (includes claims and abstract)  
X 8 Sheets of drawing(s)  
\_\_\_\_ Pages of an executed Declaration for Patent Application  
\_\_\_\_ An executed Power of Attorney for Patent Application by  
Assignee  
\_\_\_\_ Paper copy of sequence listing, pages \_\_\_\_ through \_\_\_\_  
\_\_\_\_ Sequence listing in computer readable form  
\_\_\_\_ Statement Under 37 CFR 1.821(f)  
\_\_\_\_ An executed assignment and cover sheet  
\_\_\_\_ An executed Statement Under 37 CFR 3.73(b)  
\_\_\_\_ An executed small entity statement  
\_\_\_\_ Also enclosed: \_\_\_\_\_

**EXHIBIT A**

Inventors: Welch and Barber  
Docket No.: P-IU 3446  
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— This application is based on prior foreign application(s)  
No.(s) \_\_\_\_\_, filed in \_\_\_\_\_ on \_\_\_\_\_  
\_\_\_\_\_, respectively, and priority is hereby claimed therefrom.

— This application is based on, and claims the benefit of, U.S.  
Provisional Application No. 60/\_\_\_\_\_, filed \_\_\_\_\_, and  
entitled \_\_\_\_\_, and which is incorporated herein  
by reference.

— This application is based on, and claims the benefit of, U.S.  
Provisional Application No. 60/\_\_\_\_\_ (yet to be assigned),  
filed \_\_\_\_\_, which was converted from U.S. Serial No.  
\_\_\_\_\_, and entitled \_\_\_\_\_, and which is  
incorporated herein by reference.

The filing fee has been calculated as shown below:

	Number Filed		Number Extra		Rate			Fee	
					Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	14 - 20	=	0	x	\$9	\$18	=	\$0	\$
Indepen- dent Claims	6 - 3	=	3	x	\$39	\$78	=	\$0	\$
Multiple Dependent Claims Presented: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					\$130	\$260		\$0	\$
					BASIC FEE			\$380	\$760
					TOTAL FEE			\$0	\$

— A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is  
enclosed.

☒ The payment of the filing fee is to be deferred until the  
Declaration is filed. Do not charge our deposit account. A  
duplicate copy of this sheet is enclosed.

— The Commissioner is hereby authorized to charge fees under 37  
CFR 1.16 and 1.17 which may be required or credit any  
overpayment to Deposit Account No. \_\_\_\_\_. A duplicate  
copy of this sheet is enclosed.

Address all future communications to:

Inventors: Welch and Barber  
Docket No.: P-IU 3446  
Page 3

Cathryn Campbell  
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Respectfully submitted,

Date: November 12, 1999



David A. Gay  
Registration No. 39,200  
CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
Suite 700  
San Diego, California 92122

Please acknowledge receipt of the accompanying:  
☒ New Utility Application ☐ CIP of \_\_\_\_\_

(serial #/Docket #)

Inventors Peter J. Welch and Jack R. Barber **PCDA**  
Title TUMOR SUPPRESSOR MOLECULES AND METHODS OF USE **1c:564 U.S. PTO**  
**09/438917**

Pages of Spec. (includes claims & abstract) 65

No. of Claims 14 Sheets of Drawings 8



**11/12/99**

☒ one page application cover sheet ☒ This return receipt postcard

☐ Sequence Listing, pp. \_\_\_\_\_ ☐ Sequence Disk

☐ Statement Under 37 CFR 1.821 (f) ☐ Statement Under 37 CFR 3.73(b)

☐ Declaration ☐ Power of Attorney ☐ Assignment w/cover sheet

☐ Small Entity Statement ☒ Application Transmittal Form (in duplicate)

☒ Other Patent Application Bibliographic Data Output in Printouts

☐ Other \_\_\_\_\_

☐ Fee \$ \_\_\_\_\_ enclosed Check No.: \_\_\_\_\_

☒ Certificate of Express Mailing No.: EL454954562US

Our Docket No. P-IU 3446 Date Mailed November 12, 1999

Client: TMUSOL

Atty/Secy DAG/MKW/kbl

Place your receiving date stamp including Serial No. hereon and return this card.



EXHIBIT B

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Pat nt and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/438,917	11/12/99	1644	\$0.00 P-IU-3446		8	<del>10</del>	6

14

CATHRYN CAMPBELL  
CAMPBELL & FLORES LLP  
4370 LA JOLLA VILLAGE DRIVE  
7TH FLOOR  
SAN DIEGO CA 92122

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) PETER J WELCH, SAN DIEGO, CA; JACK R BARBER, SAN DIEGO, CA.

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 12/16/99

TITLE

TUMOR SUPPRESSOR MOLECULES AND METHODS OF USE

PRELIMINARY CLASS: 530



EXHIBIT C

DATA ENTRY BY: CLARK, TANYA

TEAM: 04 DATE: 12/16/99

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(See reverse for new important information)